



Attorney's Docket No.: 17601-043001 / 067083.0205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph A. Zupanick
Serial No. : 10/630,345
Filed : July 29, 2003
Title : METHOD AND SYSTEM FOR ACCESSING SUBTERRANEAN DEPOSITS
FROM THE SURFACE AND TOOLS THEREFOR

Art Unit : 3673
Examiner : John J. Kreck

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), CDX GAS, LLC, a limited liability company, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of:

An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 014890, Frame 0615 on January 14, 2004.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of 6,679,322 and any patent granted on application serial numbers 10/641,856 and 10/323,192, whereby the patent granted on this application will expire on the same day as the earlier to expire of 6,679,322 and any patent granted on application serial numbers 10/641,856 and 10/323,192, provided that any patent granted on this identified application shall be enforceable only for and during such period that it is commonly owned with 6,679,322, copending application 10/244,083 and copending application 10/777,503.

CERTIFICATE OF MAILING BY EXPRESS MAIL

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Date of Deposit September 1, 2005

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The assignee identified above does not disclaim any terminal part of any patent granted on the this application prior to the expiration date of the full statutory term of 6,679,322 and any patent granted on application serial numbers 10/641,856 and 10/323,192 in the event that any later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), have all claims cancelled by a reexamination certificate, or are otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of 6,679,322 and any patent granted on application serial numbers 10/641,856 and 10/323,192.

This disclaimer runs with any patent granted on this application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$130 for the required fee pursuant to 37 CFR §1.20(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

CDX GAS, LLC

Date: August 30, 2005



Printed Name: George J. Robinson

Title: Senior Vice President

Fish & Richardson P.C.
1717 Main Street
Suite 5000
Dallas, Texas 75201
Telephone: (214) 747-5070
Facsimile: (214) 747-2091

ASSIGNMENT

WHEREAS, I, the undersigned inventor (or one of the undersigned joint inventors), of residence as listed, have invented certain new and useful improvements as below entitled, for which application for United States Letters Patent is made, said application having been executed on the date set forth below; and

WHEREAS, CDX Gas, LLC (hereinafter referred to as "Assignee"), a Texas limited liability company, with an address of 5485 Beltline Road, Suite 190, Dallas, Texas 75240-7656, desires to acquire our entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I assign to Assignee, all right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all divisions, reissues, continuations, continuations-in-part and extensions thereof; and I authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as my interest is concerned, to Assignee.

I also assign to Assignee, all right, title and interest in and to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world, including all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and I further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee.

I will communicate to Assignee any facts known to me respecting any improvements; and, at the expense of Assignee, I will testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make lawful oaths and declarations, and generally do everything possible to vest title in Assignee and to aid Assignee to obtain and enforce proper protection for said invention in all countries.

This Assignment shall be binding on the parties' successors, assigns and legal representatives.

ATTORNEY'S DOCKET NO.
067083.0205

ASSIGNMENT
10/630,345

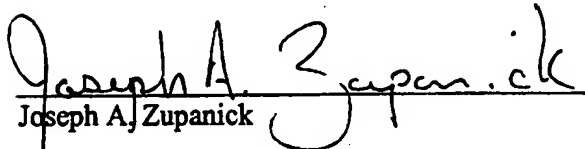
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Title of Invention:

**METHOD AND SYSTEM FOR
ACCESSING SUBTERRANEAN DEPOSITS
FROM THE SURFACE AND TOOLS
THEREFOR**

Signature of Inventor:

Inventor's Name:


Joseph A. Zupanick

Residence (City, County, State)

P.O. Box 1797
Pineville, Wyoming County, West Virginia 24874

Date:

January 8, 2004

Date Application Executed:

January 8, 2004